

Message Text

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QUOTE

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TAGS: ETRD, EEC, EFTA, DA

SUBJECT: EC/EFTA RULES OF ORIGIN

REF: STATE 030119

1. REFTTEL PARA ONE, THE KELLOG CASE, EMBASSY CONTACTED DANISH CUSTOMS OFFICIALS REGARDING THE CLASSIFICATION OF THE ZEA INDURATA TYPE CORN. WE OBTAINED COPIES IN FRENCH AND DANISH OF THE EXPLANATORY NOTES TO THE RULES OF ORIGIN RELATING TO THE MANUFACTURE OF PRODUCTS UNDER BTN 19.05. FOLLOWING IS THE EMBASSY TRANSLATION OF THE EXPLANATORY NOTE:

"CORN OF THE TYPE ZEA INDURATA OR HARD CORN (FRENCH TEXT: MAIS VITREUX) FOR WHICH THE SPECIAL RULE IN LIST A DOES NOT APPLY, WHEN THIS TYPE CORN IS USED FOR THE MANUFACTURE OF PRODUCTS UNDER BTN 19.05, CAN BE IDENTIFIED FROM THE FOLLOWING CHARACTERISTICS:

"HARD CORN KERNELS HAVE NORMALLY A ROUND SHAPE. ITS THICKNESS

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IS APPROXIMATELY ONE THIRD OF ITS LENGTH (FRENCH: LARGEUR).

AS THE KERNEL IS LARGER AT THE TOP THAN AT THE BOTTOM, IT APPEARS SLIGHTLY CONICAL. HARD CORN IS EASILY RECOGNIZABLE WHEN CUT LENGTHWISE: THE GERM (PLACED AT THE BASE OF THE KERNEL) IS ENVELOPED AT THE TOPE AND SIDES BY A LIGHTLY COLORED STARCH ENDOSPERM; THE WHOLE KERNEL IS ENVELOPED IN A HORNY ENDOSPERM OR A HARD EXTERIOR. IT IS EASILY DISCERNIBLE FROM DENT CORN (ZEA MAYS INDENTATA), WHICH IS FLATTER, WHICH MORE RESEMBLES A TOOTH (SOMETIMES IT IS CALLED "MAIS DENT DE CHEVAL") AND WHICH HAS A CHARACTERISTIC DENT AT THE TOP. HARD CORN IS ALSO HARDER AND ALSO MORE TRANSPARENT."

2. IF US FLINT CORN HAS THE ABOVE CHARACTERISTICS, KELLOGG BELIEVES IT WOULD QUALIFY AS ZEA INDURATA.
3. REFTEL PAR ATWO, FIBERTEX CASE.

A. THE CHANGE IN THE R/O RELATING TO THE PRODUCTION OF FLOOR COVERINGS (NEEDLEFELT CARTING) DID NOT HAVE ANY SIGNIFICANT IMPACT ON FIBERTEX'S OPRATION AS THE COMPANY ESTABLISHED ITS OWN FACILITIS FOR THE PRODUCTION OF POLYPROPYLEN-FIBERS.

B. DUE TO THIS CHANGE INFIBERTEX'S COMPETITIVE POSITION, THE COMPANY WAS SOMEWHAT RELUCTANT TO SUBMIT INFORMATION ON ITS PRESENT STATUS. WE LEARNED, HOWEVER, THAT THE CHANGE IN THE R/O ENABLED FIBERTEX TO IMPORT THE MAJOR PART OF THEIR EXCESS REQUIREMENTS FROM THE U.S. IN THE FIRST SIX MONTHS OF 1975 DUE TO FAVORABLE PRICES ON U.S. FIBERS. IN THE SECOF PART X 1976 IMPORTS WERE DIVERTED TO EUROPEAN SUPPLIER SOURCES, AS THESE WERE REPORTEDLY IN A BETTER COMPETITIVE POSITION THAN THOSE OF THE U.S.

D. FIBERTEX ADVISED US THAT R/O NO LONGER PRESENTS AN OBSTACLE TO ITS POSSIBLE USE OF THIRD COUNTRY FIBERS AND THAT SUPPLIER SOURCE IS NOW DEPENDANT ENTIRELY UPON PRICE/SUPPLY CONDITIONS. DEAN UNQTE KISSINGER

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